Senate File 52 - Introduced

SENATE FILE 52 BY ZAUN

A BILL FOR

- 1 An Act prohibiting certain actions regarding fetal body parts
- 2 and providing penalties.
- 3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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- 1 Section 1. <u>NEW SECTION</u>. **146B.1 Fetal body parts** actions 2 prohibited penalties.
- A person shall not knowingly acquire, provide, receive,
- 4 otherwise transfer, or use a fetal body part in this state,
- 5 regardless of whether the acquisition, provision, receipt,
- 6 transfer, or use is for valuable consideration.
- 7 2. Subsection 1 shall not apply to any of the following:
- 8 a. Diagnostic or remedial tests, procedures, or observations
- 9 which have the sole purpose of determining the life or health
- 10 of the fetus in order to provide that information to the
- 11 pregnant woman or to preserve the life or health of the fetus
- 12 or pregnant woman.
- 13 b. The actions of a person taken in the furtherance of the
- 14 final disposition of a fetal body part.
- 15 3. A person who violates this section is guilty of a class
- 16 "C" felony.
- 17 4. For the purposes of this section:
- 18 a. "Abortion" means as defined in section 146.1.
- 19 b. "Fetal body part" means a cell, tissue, organ, or other
- 20 part of a fetus that is terminated by an abortion.
- 21 c. "Final disposition" means the disposition of fetal
- 22 body parts by burial, interment, entombment, cremation, or
- 23 incineration.
- 24 d. "Valuable consideration" means any payment including but
- 25 not limited to payment associated with the transportation,
- 26 processing, preservation, quality control, or storage of fetal
- 27 body parts.
- 28 EXPLANATION
- The inclusion of this explanation does not constitute agreement with the explanation's substance by the members of the general assembly.
- 31 This bill prohibits a person from knowingly acquiring,
- 32 providing, receiving, otherwise transferring, or using a fetal
- 33 body part in this state, regardless of whether the acquisition,
- 34 provision, receipt, transfer, or use is for valuable
- 35 consideration. However, the prohibition does not apply to

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- 1 diagnostic or remedial tests, procedures, or observations
- 2 which have the sole purpose of determining the life or health
- 3 of the fetus in order to provide that information to the
- 4 pregnant woman or to preserve the life or health of the fetus
- 5 or pregnant woman or to the actions of a person taken in the
- 6 furtherance of the final disposition of a fetal body part.
- 7 A person who violates the bill is guilty of a class "C"
- 8 felony. A class "C" felony is punishable by confinement for no
- 9 more than 10 years and a fine of at least \$1,000 but not more
- 10 than \$10,000.